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May 8, 2013

### VIA ECF

The Honorable Steven C. Mannion, U.S.M.J.  
 King Building & U.S. Courthouse  
 50 Walnut St., P.O. Box 999  
 Newark, NJ 07101-0999

**Re: Montvale Surgical Center v. Horizon Blue Cross Blue Shield of New Jersey**  
**Docket No. 12-2539 & 12-6867**

Dear Judge Mannion:

Please be advised that this firm represents Horizon Blue Cross Blue Shield of New Jersey ("Horizon") in the above captioned matters. Currently pending before Your Honor on May 16, 2013 is a settlement conference for both of these matters. The parties jointly request an adjournment of these settlement conferences for approximately four (4) weeks.

By way of background, Montvale Surgical Center currently has approximately fifteen (15) actions pending against Horizon in this Court. Although the parties originally sought consolidation of these actions, the motion for consolidation was ultimately denied and each matter has been proceeding on its own track. The parties have previously appeared for a settlement conference in regards to these matters but the same was unsuccessful.

In an attempt to avoid motion practice and to conserve both time and resources, the parties have recently been attempting to see if a global settlement of these matters is possible. The parties are currently in the process of exchanging proposals and conferring with their clients to see if there is an agreement that can be reached. As such, settlement of individual cases at this time is unlikely.

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Counsel for both parties are frequently in contact and have been working diligently towards a possible resolution of these matters as a whole. The parties jointly request that the settlement conference in this matter be adjourned for approximately four (4) weeks while the parties continue to attempt to come to a global resolution.

An adjournment of this settlement conference would allow the parties to fully exchange proposals and give sufficient time to reach an agreement, if possible. A global resolution would alleviate the need for individual settlement conferences in this matter. As such, an adjournment of the conferences would preserve the resources of both the Court and the respective parties, in the event that a global settlement is reached.

As always, we are available to answer any questions Your Honor or Your Honor's staff may have on this matter. If this request meets with Your Honor's approval, for the Court's convenience, a "So Ordered" signature line is included *infra*.

Respectfully submitted,

s/ Matthew Baker

Matthew A. Baker

Cc: Andrew Bronsnick, Esq. (Via CM/ECF and Email)

IT IS SO ORDERED this \_\_\_\_\_ of May 2013, that the settlement conferences listed in Docket No. 12-2539 and 12-6867 are hereby adjourned until \_\_\_\_\_, 2013.

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HON. STEVEN C. MANNION, U.S.M.J.